

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

CUSTOMS AND TAX ADMINISTRATION OF
THE KINGDOM OF DENMARK
(SKATTEFORVALTNINGEN) TAX REFUND
SCHEME LITIGATION

This document relates to case nos. 18-CV-09797;
18-CV-09836; 18-CV-09837; 18-CV-09838;
18-CV-09839; 18-CV-09840; 18-CV-09841

MASTER DOCKET

18-MD-2865 (LAK)

**NOTICE OF PLAINTIFF-COUNTERCLAIM-DEFENDANT
SKATTEFORVALTNINGEN'S MOTION TO DISMISS
THE UTAH PLANS' COUNTERCLAIMS**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, dated August 19, 2019, and the Declaration of Sarah L. Cave, dated August 19, 2019, with all exhibits thereto, Plaintiff-Counterclaim-Defendant Skatteforvaltningen, by its undersigned attorneys, will move the Court before the Honorable Lewis A. Kaplan at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, Courtroom 21B, at a date and time to be determined by the Court, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing Defendants-Counterclaimants American Investment Group of New York, L.P. Pension Plan, DW Construction, Inc. Retirement Plan, Kamco Investments, Inc. Pension Plan, Kamco LP Profit Sharing Pension Plan, Linden Associates Defined Benefit Plan, Moira Associates LLC 401(k) Plan, and Riverside Associates Defined Benefit Plan's Counterclaims against Skatteforvaltningen with prejudice, and for such other and further relief as the Court deems just and proper. Skatteforvaltningen respectfully requests that the Court hold oral argument regarding this Motion.

Dated: New York, New York
August 19, 2019

HUGHES HUBBARD & REED LLP

By: /s/ Marc A. Weinstein
William R. Maguire
Marc A. Weinstein
John T. McGoey
One Battery Park Plaza
New York, New York 10004-1482
Telephone: (212) 837-6000
Fax: (212) 422-4726
bill.maguire@hugheshubbard.com
marc.weinstein@hugheshubbard.com
john.mcgoey@hugheshubbard.com

*Counsel for Plaintiff Skatteforvaltningen
(Customs and Tax Administration of the
Kingdom of Denmark)*